

Accordingly, it is believed that the 112 rejection of the claims has been overcome.

Turning now to the 103 rejection of the claims, at the outset, it should be noted that, by this Amendment, the claims have been amended to better define the novel features of the invention. As will be discussed in greater detail hereinafter it is respectfully submitted that the claims as, now amended, are patentably distinguishable over the references cited by the Examiner.

More particularly, with respect to the 103 rejection of the claims as being unpatentable over Carlesimo in view of Jappinen and in further view of Evans, it would appear that the Examiner has misconstrued the meaning of the disclosure in Carlesimo. Whereas flange 14 does extend radially from a sleeve, a first surface of the flange is not configured to contact the chamber wall around substantially the whole circumference of the opening, as now set forth in amended independent Claims 22 and 32. Referring to column 3 lines 10 to 35, it will be seen that flange 14 of the seal member 10 is normally embedded in the concrete or cement of the wall 16 of a manhole wall. Thus, the flange does not contact the chamber wall as in the flange of the presently claimed invention.

Furthermore, the annular flange 14 in Carlesimo is provided with a plurality of concentric ribs 24 on both its faces. Thus, even if electrofusion heating elements were provided in such

a flange, no reliable fluid-tight seal could be formed using those heating elements because the ribs, which are essential for securing flange 14 into place, would prevent a good seal from being formed.

In summary, one skilled in the art would not consider starting with Carlesimo, which relates to a sealed member which can only work if it is embedded in a wall during wall construction. In contrast, the present invention relates to a sealing member which is placed over an aperture which has been formed in a pre-constructed chamber wall.

With respect to Jappinen and Evans, Applicant acknowledges that electrofusion seals are known. In fact, the examples cited by the Examiner are just two examples of seals with a flanged surface adapted to contact one surface of a chamber and with a sleeve that is used to form a joint with a pipe or the like. However, none of these prior art seals have the feature that the sleeve extends from both sides of the flange, as presently claimed. As a result, in use, the fitting can be positioned and used on the inside or outside of the chamber wall.

In the cited prior art, the sealing members are designed to be used on one side of a wall or on the other and the seal to the pipe passing through the sealing member is designed to be formed on one side or the other of the wall against which the seal is being made. In contrast, the present invention describes a reversible sealing member which, in one position can be positioned

inside the chamber wall and in a reversed alternative position, can be positioned outside the chamber wall. This affords flexibility for the construction engineer which was hitherto not available. Accordingly, it is believed that the claims are patentably distinguishable over this combination of references.

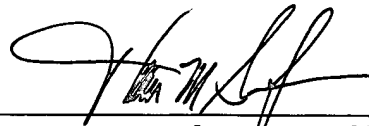
Lastly, Applicant encloses herewith a copy of the corresponding granted U.K. specification for the Examiner's consideration. Also enclosed is an Information Disclosure Statement which contains a copy of the U.K. Patent Office Search Report and the foreign references cited therein.

Finally, Applicant hereby requests a three-month extension of time in which to respond to the outstanding Office Action. A check in the amount of \$640.00 is enclosed which covers the \$460.00 official extension fee and the \$180.00 official IDS filing fee. The Commissioner is hereby authorized to credit any overpayment or charge any fee deficiency to Deposit Account No. 07-0130.

In view of the foregoing, it is respectfully submitted that the claims as amended are patentably distinguishable over the references of record. Accordingly, reconsideration and withdrawal of the rejection and allowance of the claims at an early date are earnestly solicited.

Date: April 2, 2002

Respectfully submitted,



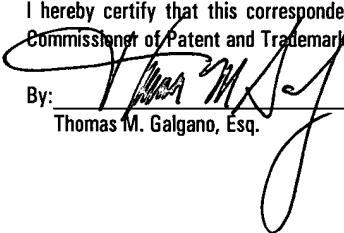
Thomas M. Galgano, (27,638)
GALGANO & BURKE
Attorneys for Applicant
300 Rabro Drive, Suite 135
Hauppauge, NY 11788
Tel: (631) 582-6161
Fax: (631) 582-6191

Enclosures: Copy of U.K. Specification
Information Disclosure Statement w/U.K. references
Check in the amount of \$640 for 3 month EOT and IDS
Drawing sheet containing Figures 4 and 5; copy
of Figure 5 with changes in red
Version With Markings to Show Changes to amended
pages 9 and 13 of specification; and amended Claims
Abstract

F:\public\G&B#2\1182\24\amendment.doc

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:
Commissioner of Patent and Trademarks, Washington, D.C. 20231 on April 2, 2002.

By:


Thomas M. Galgano, Esq.

Dated: April 2, 2002

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION

Page 9, lines 10-15, Please rewrite the paragraph as follows:

The fitting comprises a cylindrical sleeve 22 having an outwardly projecting radial flange 24 towards one end. The flange and sleeve define a central passage through which the pipe of the pipeline 4 extends. It can also be seen from Figure 2 that the sleeve extends through the aperture in the wall 10 [50] so that the sleeve is at least partially accommodated within the chamber 6, whilst the flange 24 is situated outside the chamber.

Page 13, lines 4-10, rewrite the paragraph as follows:

The surface of flange 96 has embedded into it a heating element [98]. The shape and dimensions of the sleeve can be adjusted such that it only extends into the chamber. This is shown as Option 1 in Figure 11. Alternatively, a degree of symmetry about the flange can be provided such that the boot can be welded either on the inside or the outside of the chamber wall. This is shown in Option 2 of Figure 11. In this case a substantially

similar portion of sleeve 102, 104 suitable for attachment to a rubber boot, extends on either side of the flange.

Page 13, lines 19-24, rewrite the paragraph as follow:

This is just one way of terminating any secondary containment system. It is equally possible to use the types of termination shown in Figures 13, 14, and 15 which illustrate different arrangements for different pipe diameters. Pipe jointing components [108 to 124 inclusive,] of a type known per se, can be used to couple and/or terminate secondary pipes. This greatly increases the flexibility of this type of fitting.

IN THE CLAIMS

22. (Amended) A fitting for providing a substantially fluid-tight seal between an opening in a chamber wall and a pipe passing through said opening, said fitting comprising: [-]

- (i) a tubular sleeve adapted to pass through the opening in the chamber wall and further adapted to allow the pipe to pass through the sleeve;
- (ii) a flange, extending radially outwardly from the sleeve, a first surface of the flange being configured to contact the chamber wall around substantially the whole

circumference of the opening and over substantially the whole first surface of the flange;

- (iii) an energy transfer means incorporated in the flange and situated adjacent to [at or near] the first surface of the flange, said energy transfer means being adapted to heat the first surface of the flange in order to form a substantially fluid tight seal between the wall and the flange;

characterized in that the tubular sleeve extends from both sides of the flange such that, in use, the fitting can be positioned in one position on the inside [or] of the chamber wall and in a reversed, alternative position, can be positioned on the [or] outside of the chamber wall, and in that the fitting is substantially rigid and in that the first surface of the flange is a substantially rigid, flat, planar surface.

25. (Amended) A fitting according to Claim 22, in which the fitting is adapted for use with a wall which is of a material which is not suitable for being attached to the fitting by electrofusion, the first surface of the fitting incorporating an adhesive of a type which is activated by heat, wherein the heating of the first surface by the energy transfer means activates the adhesive and thereby bonds the fitting to the wall, said adhesive being a member

selected from the group consisting of a thermoplastic, thermoset, cross-linking and pressure sensitive adhesive.

31. (Amended) A fitting [and sealing member] according to Claim 30, in which the sealing member is resilient, and there is provided clamping means for clamping the sealing member to at least one of said [the] pipe [and/or] and said [the] sleeve.

32. (Amended) A method of forming a seal between an opening in a chamber wall and a pipe passing through said opening, the method comprising the steps of: [-]

(a) applying a fitting to the pipe, said fitting comprising: [-]

(i) a tubular sleeve adapted to pass through the opening in the chamber wall and further adapted to allow the pipe to pass through the sleeve;

(ii) a flange, extending radially outwardly from the sleeve, a first surface of the flange being configured to contact the chamber wall around substantially the whole circumference of the opening and over substantially the whole first surface of the flange;

(iii) an energy transfer means incorporated in the flange and situated [at or near] adjacent to the first surface of the flange, said energy transfer means being adapted to heat the first surface of the flange in order to form a substantially fluid tight seal between the wall and the flange;

characterized in that the tubular sleeve extends from both sides of the flange such that, in use, the fitting can be positioned in one position on the inside of the chamber wall and in a reversed, alternative position, can be positioned on the [or] outside of the chamber wall, and in that the fitting is substantially rigid and in that the first surface of the flange is a substantially rigid, flat, planar surface;

- (b) applying energy to the energy transfer means and thereby heating the first surface [and, optimally, the portion of the wall of the chamber in the vicinity of the flange] to cause the fitting to become fused or bonded to the chamber wall in a fluid tight manner;
- (c) applying a sealing member [or boot] to form a fluid tight seal between the sleeve and the pipe.

103 33. (Amended) A method according to Claim 32, in which the energy transfer means comprises conduction means for conducting an electric current, said conduction means in use being heated by the current to cause said heating of the first surface [said heating is achieved by passing an electric current through conduction means located at or near the first surface of the flange].